

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

=====X Docket No.: 07-CV-6432 (RJH)  
SALLY ANN DRUCKER,

Plaintiff,

-against-

JOHN D. CORRIERI AND PAUL D. CORRIERI,

Defendants.

RESPONSE TO  
PLAINTIFF'S  
NOTICE FOR  
DISCOVERY &  
INSPECTION &  
COMBINED DEMANDS

=====X

Defendants JOHN D. CORRIERI AND PAUL D. CORRIERI, by their attorneys KRAL, CLERKIN, REDMOND, RYAN, PERRY & GIRVAN, LLP as and for a Response to Plaintiff's Notice for Discovery and Inspection and Combined Demands states the following upon information and belief:

1. The within defendants are unaware of any eyewitnesses to the accident alleged in plaintiff's Complaint, other than those listed in the Police Accident Report, which is a public document.

2. The within defendants are not in possession of any adverse party statements.

3. At the time of the occurrence, the within defendants were afforded a policy of insurance with Scottsdale Insurance Company in the amount of \$1M per occurrence.

4. The within defendants are not in possession of any photographs of the accident scene, plaintiff or the vehicles involved in the accident that were taken

contemporaneously with the accident alleged in plaintiff's Complaint.

5. The within defendants are not in possession of any accident reports regarding the accident alleged in plaintiff's Complaint. The within defendants object to plaintiff's demand for a copy of each and every record of inspection, maintenance, request for repair or repair of the area of the condition complained of in the Complaint during the two year period prior to and including the date of the occurrence is vague, overbroad and unduly burdensome.

6. The within defendants object to plaintiff's demand for a copy of each and every record of inspection, maintenance and repair of the motor vehicle involved in the occurrence for a period of one year prior to the date of the occurrence as vague, overbroad and unduly burdensome.

7. Plaintiff's demand for a copy of each and every contract between any of the parties to this action is inapplicable to this action.

8. Defendants JOHN D. CORRIERI and PAUL D. CORRIERI have not yet retained any expert witness who is expected to testify at trial. However, these defendants reasonably anticipate that it will retain at least one expert in the field of medicine who will testify with respect to his or her review of all medical records and reports and with respect to his or her

physical examination of plaintiff. The examination report of any such physician will be exchanged.

PLEASE TAKE NOTICE, that defendants herein specifically reserve their right to amend and/or supplement the above responses upon the completion of additional discovery and/or investigation.

Dated: New York, New York  
September 24, 2007

Yours etc.,

KRAL, CLERKIN, REDMOND,  
RYAN, PERRY & GIRVAN, LLP  
Attorneys for Defendant  
JOHN D. CORRIERI AND PAUL D.  
CORRIERI  
170 Broadway, 5<sup>th</sup> Floor  
New York, New York 10038  
(212) 406-9710  
Our File Number: 901774

By:   
JUSTINE L. GRISANTI (#0793)

TO: DAVID RESNICK & ASSOCIATES  
Attorneys for Plaintiff  
450 Seventh Avenue, Suite 409  
New York, New York 10123  
(212) 279-2000

AFFIDAVIT OF SERVICE

STATE OF NEW YORK       )  
                                  : ss.  
COUNTY OF NEW YORK    )

MICHELE SUTTON, being duly sworn deposes and says:

Deponent is not a party to the action, is over Eighteen (18) years of age and resides in Staten Island, New York.

On September <sup>24</sup>, 2007, deponent served the within RESPONSE TO PLAINTIFF'S NOTICE FOR DISCOVERY & INSPECTION & COMBINED DEMANDS upon the attorney(s) listed below at the address designated by said attorneys for that purpose by depositing a true copy of same enclosed in a post-paid addressed wrapper with self-addressed stamped envelopes in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York.

DAVID RESNICK & ASSOCIATES  
Attorneys for Plaintiff  
450 Seventh Avenue, Suite 409  
New York, New York 10123  
(212) 279-2000

  
\_\_\_\_\_  
MICHELE SUTTON

Sworn to before me on this  
<sup>24</sup> day of September, 2007

  
\_\_\_\_\_  
NOTARY PUBLIC

MARCIA M. GOLDSON  
Notary Public, State of New York  
No. 01GO6029683  
Qualified in Richmond County  
Commission Expires August 23, 2009

Index No. 13256/07

Year 20

**SUPREME COURT OF THE STATE OF NEW YORK: COUNTY OF BRONX**

**SALLY ANN DRUCKER,**

**Plaintiffs,**

**-against-**

**JOHN D. CORRIERI AND PAUL D. CORRIERI,**

**Defendants.**

**RESPONSE TO PLAINTIFF'S NOTICE FOR DISCOVERY & INSPECTION  
& COMBINED DEMANDS**

**KRAL, CLERKIN, REDMOND, RYAN  
PERRY & GIRVAN, LLP**

*Attorneys for*

**Defendants.**

170 BROADWAY  
NEW YORK, NEW YORK 10038  
(212) 406-9710

§2103 (b) (5) Notice: Service of Papers by Electronic Means is Not Accepted

*Pursuant to 22 NYCRR 130-1.1, the undersigned, an attorney admitted to practice in the courts of New York State, certifies that, upon information and belief and reasonable inquiry, the contentions contained in the annexed document are not frivolous.*

Dated: .....

Signature.....

**September 24, 2007**

Print Signer's Name.....

*Service of a copy of the within*

**JUSTINE L. GRISANTI** *is hereby admitted.*

Dated: .....

.....  
*Attorney(s) for*

**PLEASE TAKE NOTICE**

Check Applicable Box

☐  
NOTICE OF  
ENTRY

*that the within is a (certified) true copy of a  
entered in the office of the clerk of the within named Court on*

*20*

☐  
NOTICE OF  
SETTLEMENT

*that an Order of which the within is a true copy will be presented for settlement to the  
Hon. one of the judges of the within named Court,  
at  
on*

*20 , at M.*

Dated: .....

**KRAL, CLERKIN, REDMOND, RYAN  
PERRY & GIRVAN, LLP**

*Attorneys for*